



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,919	09/22/2006	Takato Kobayashi	07200/083001	5893
22511	7590	11/13/2008		
OSHA LIANG L.L.P. TWO HOUSTON CENTER 909 FANNIN, SUITE 3500 HOUSTON, TX 77010			EXAMINER LEON, EDWIN A	
			ART UNIT 2833	PAPER NUMBER
			NOTIFICATION DATE 11/13/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com

buta@oshaliang.com

Office Action Summary

Application No.

10/593,919

Applicant(s)

KOBAYASHI ET AL.

Examiner

EDWIN A. LEON

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 27, 2008 has been entered.

Claim Rejections - 35 USC § 103

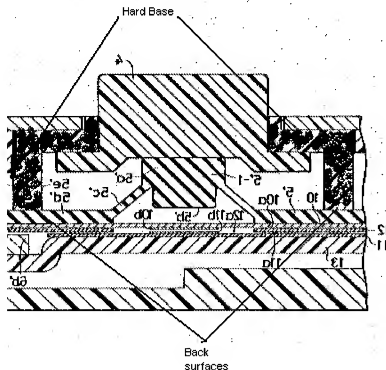
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suwa (U.S. Patent No. 4,532,575). Suwa discloses (in Fig. 3) a cover member for a push-button switch comprising a hard base (see figure below) and a keypad (5'), wherein the hard base having a through hole for a key top (5a, 4), wherein the keypad is made of rubber, and a front surface of the keypad is in contact with an entirety of all

Art Unit: 2833

back surfaces (see figure below) of the hard base, thereby preventing the entirety of all back surfaces of the hard base from being in contact with any member other than the keypad, and wherein the keypad is exposed through the through hole, and a back surface of the keypad corresponding to the through hole is provided with a press projection (5b') for pressing a contact point, a portion of the keypad exposed through the through hole of the hard base forms the key top.



Suwa discloses the claimed invention except for the base being made from hard resin and the keypad being made of silicone rubber film. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the base

being made from hard resin and the keypad being made of silicone rubber film in order to comply with environmental and design requirements, and since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

4. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suwa in view of Schmidt, et al. Suwa lacks a keytop made of a hard resin. However, Schmidt teaches (for a similar switch) that it is advantageous to add a hard button top 40, as it improves durability (column 4, line 47). For the same reason, it would have been obvious to top the key of Suwa with a hard resin cap. In addition, Schmidt teaches using a transparent base (column 4, lines 49-51) for light transmission. As keys and keyboards often require lighting, it would have been obvious to use a transparent resin on the device of Suwa as taught by Schmidt.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suwa in view of Larson. Larson teaches the use of a plurality of switches similar to that of Suwa. Switches such as these are often found in groups because they are used to operate a plurality of functions on the same device. Larson is one example of this, and further teaches grooves 160, behind the hard base and between the individual switches, in order to equalize pressure. For the same reasons, it would have been obvious to use a plurality of switches, of the type taught by Suwa, and including the features of Larson.

6. Claims 4, 7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suwa in view of Fujiki, et al. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suwa and Schmidt, as applied to claim 3 above, and further in view of Fujiki. Fujiki teaches the manufacture of an electrical component formed of a polycarbonate resin and a selectively adhesive silicone rubber in the manner and with the same materials claimed. It would have been obvious to form the base and keypad of Suwa in this manner in order to achieve the good bonds and ease of assembly taught by Fujiki. In regard to claim 8, Schmidt teaches assembling the keytop after assembly of the base and keypad; this step would still be appropriate using the materials and method taught by Fujiki.

Response to Arguments

7. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWIN A. LEON whose telephone number is (571)272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee S. Luebke can be reached on 571-272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edwin A. León/
Primary Examiner
Art Unit 2833